

FILED  
DISTRICT COURT OF GUAM  
APR 15 2003  
MARY L. M. MORAN  
CLERK OF COURT

DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

58

ALICE N. SALAS,

Civil Case No. 02-00002

Plaintiff,

vs.

ORDER

JAMES JI ENTERPRISE,  
JJ PACIFIC DEVELOPMENT  
CORPORATION, JAMES JI, and  
HYUNG LEE,

Defendants.

On September 27, 2001, the plaintiff, a juror who had served in the case of United States v. Austin J. "Sonny" Shelton, Criminal Case No. 01-00007, submitted a letter to the Court claiming that her employer had violated the provisions of 28 U.S.C. § 1875. On October 3, 2001, the Court, having found probable merit in such claim, appointed Attorney Sandra D. Lynch to represent the plaintiff in any action necessary to the resolution of the claim. See In re Panel No. 01-004, Juror No. 99-46159, Miscellaneous Case No. 01-00028.

On February 6, 2002, this civil action commenced by the filing of a complaint by Attorney Lynch on behalf of the plaintiff. On February 8, 2002, an amended complaint was filed. The defendants filed an answer on June 5, 2002. The trial was scheduled to commence on April 16, 2003.

On March 11, 2003, counsel appeared before the Court for a hearing on a Motion to Withdraw, filed by counsel for the defendants. At said hearing, the Court was informed that the

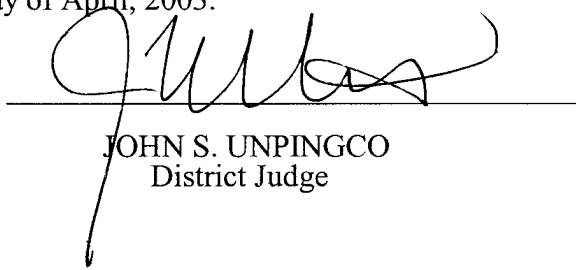
1 plaintiff and defendant James Ji had reached a settlement and resolved all differences between  
2 them. Said settlement, however, was reached without the involvement of their respective  
3 counsel.

4 On March 12, 2003, the plaintiff filed an affidavit regarding the settlement. The  
5 plaintiff stated that she decided to drop the case in exchange for \$6,000 because the suit had  
6 been mentally and emotionally taxing on her. On March 25, 2003, Attorney Lynch filed a  
7 declaration setting forth her billing statement for fees and expenses incurred on behalf of the  
8 plaintiff. Additionally, on March 25, 2003, the defendants filed a Motion and Memorandum to  
9 Confirm Settlement. Attorney Lynch filed a declaration in response to the motion on April 7,  
10 2003.

11 The Court has carefully reviewed the pleadings in this case and finds that the parties  
12 have entered into a binding and final settlement which disposes of the entire action.  
13 Accordingly, the Court hereby confirms the settlement and enters judgment accordingly.

14 As for the fees and expenses of Attorney Lynch, there has been no finding of liability  
15 against any of the defendants. Thus, it would be improper for the Court to assess such costs  
16 against the defendants. Pursuant to 18 U.S.C. § 1875(d)(1), the Court shall compensate  
17 Attorney Lynch for her services and other expenses incurred as provided by 18 U.S.C. § 3006A.  
18 Attorney Lynch is hereby ordered to resubmit her billing statement on a CJA 20 form  
19 (Appointment of and Authority to Pay Court Appointed Counsel) no later than Friday,  
20 April 25, 2003.

21 SO ORDERED this 15<sup>th</sup> day of April, 2003.

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24 JOHN S. UNPINGCO  
25 District Judge  
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